

AMENDED IN SENATE AUGUST 5, 2014

AMENDED IN SENATE JULY 2, 2014

AMENDED IN ASSEMBLY MAY 8, 2014

AMENDED IN ASSEMBLY APRIL 24, 2014

AMENDED IN ASSEMBLY APRIL 21, 2014

AMENDED IN ASSEMBLY MARCH 24, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2282

Introduced by Assembly Member Gatto

February 21, 2014

An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water ~~infrastructure~~ systems.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the California Building Standards Code in its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption,

amendment, or repeal of building standards to the commission and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the department, in consultation with other designated entities, to conduct research to assist in the development of, and to ~~propose the adoption, amendment, or repeal~~ *submit for adoption* by the ~~commission, of~~ *commission of*, mandatory building standards for the installation of recycled water ~~infrastructure systems~~ for newly constructed single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this purpose, upon appropriation. The bill would require the department to limit the mandate to install recycled water ~~installing systems within residential buildings and building site landscaped areas~~ to areas within a local jurisdiction that meet specified ~~conditions, and to consider whether a service area plans to provide potable water prior to mandating the use of recycled water piping.~~ *conditions*. The bill would require the department to develop the application provisions in consultation with specified entities. The bill would define the term “recycled water” for these purposes.

This bill would require the commission to undertake identical research and activities with respect to development of mandatory green building standards for the installation of recycled water ~~infrastructure systems~~ for newly constructed commercial and public buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17921.5 is added to the Health and Safety
- 2 Code, to read:
- 3 17921.5. (a) For purposes of this section, “recycled water”
- 4 has the same meaning as that term is defined in subdivision (n) of
- 5 Section 13050 of the Water Code, and is consistent with the
- 6 recycled water use criteria specified in Chapter 3 (commencing
- 7 with Section 60301.100) of Division 4 of Title 22 of the California
- 8 Code of Regulations.
- 9 (b) (1) The department shall conduct research to assist in the
- 10 development of mandatory building standards for the installation

1 of recycled water ~~infrastructure~~ *systems* for newly constructed
2 single-family and multifamily residential buildings. In conducting
3 this research, the department shall actively consult with the State
4 Water Resources Control Board, the State Department of Public
5 Health, and other interested parties, including, but not limited to,
6 public water systems, recycled water producers, product
7 manufacturers, local building officials, apartment *and other rental*
8 *property* owners, ~~certified California licensed~~ contractors, and the
9 building industry.

10 (2) In researching, developing, and proposing mandatory
11 building standards under this section, the department ~~may is~~
12 *authorized to* expend funds from the Building Standards
13 Administration Special Revolving Fund, upon appropriation
14 pursuant to Section 18931.7.

15 (3) Research conducted to propose building standards pursuant
16 to this section shall include, but is not limited to, the following:

17 (A) Potential outdoor applications for recycled water, consistent
18 with the recycled water use criteria specified in Chapter 3
19 (commencing with Section 60301.100) of Division 4 of Title 22
20 of the California Code of Regulations.

21 (B) Potential indoor applications for recycled water, consistent
22 with the recycled water use criteria specified in Chapter 3
23 (commencing with Section 60301.100) of Division 4 of Title 22
24 of the California Code of Regulations. With respect to indoor
25 applications, the department shall consider whether to adopt or
26 recommend measures *in addition to the current standards adopted*
27 *in the California Plumbing Code in Title 24 of the California Code*
28 *of Regulations* to ensure ~~that the safe installation of~~ indoor
29 recycled water piping ~~is safely installed, or systems,~~ including,
30 but not limited to, requiring purple pipe or special markings on
31 recycled water piping that states clearly whether it is approved for
32 indoor use, or recommending restrictions on who may purchase
33 or install recycled water piping for indoor use.

34 (C) The cost of various recycled water ~~systems and~~
35 ~~infrastructure.~~ *systems.*

36 (D) The estimated quantity of water savings under varying levels
37 of application of recycled water in residential buildings and
38 ~~adjacent landscaping.~~ *building site landscaped areas.*

39 (4) *The department may research standards for different types*
40 *of water recycling systems, including noncentralized systems, to*

1 *the extent that they meet all of the health and safety standards*
2 *specified in this section.*

3 (c) (1) ~~The department shall propose the submit for adoption;~~
4 ~~amendment, or repeal by the California Building Standards~~
5 ~~Commission pursuant to Chapter 4 (commencing with Section~~
6 ~~18935) of Part 2.5, of mandatory building standards for the~~
7 ~~installation of recycled water infrastructure systems for newly~~
8 ~~constructed single-family residential and multifamily residential~~
9 ~~buildings. The department shall submit these the proposed~~
10 ~~mandatory building standards to the commission California~~
11 ~~Building Standards Commission for consideration in the next~~
12 ~~regularly scheduled Intervening Code Cycle adopted after January~~
13 ~~1, 2017. during the 2016 Intervening Code Adoption Cycle, and~~
14 ~~may amend these mandatory standards as necessary in future code~~
15 ~~adoption cycles, consistent with the recycled water use criteria~~
16 ~~specified in Chapter 3 (commencing with Section 60301.100) of~~
17 ~~Division 4 of Title 22 of the California Code of Regulations.~~

18 (2) When developing the application provisions for the
19 mandatory building standards, the department shall limit the
20 mandate to install recycled water piping systems *within residential*
21 *buildings and building site landscaped areas* to only those areas
22 within a local jurisdiction that have feasible and cost-efficient
23 access to a water recycling facility, or that have been identified by
24 the local jurisdiction within a planned service area for the provision
25 of recycled water for which a specific implementation timeline
26 has been identified by the public water system in its most recent
27 urban water management plan.

28 (3) The mandate to install recycled water piping shall not apply
29 to service areas in which the only recycled water use is for potable
30 purposes, or in which net nonpotable deliveries are anticipated to
31 remain level or decrease as a result of the potable reuse project.

32 ~~(4) The department shall consider whether a service area plans~~
33 ~~to provide potable water prior to mandating the use of recycled~~
34 ~~water piping.~~

35 ~~(5)~~

36 (4) The department shall develop the application provisions for
37 the mandatory building standards required under paragraph (1),
38 in consultation with the State Water Resources Control Board,
39 public water systems, recycled water producers, and water research
40 associations.

(6)

(5) A city, county, or city and county, in consultation with the public water system and recycled water producer, may further reduce the area for which the mandate to install recycled water piping applies, if the local public water system or recycled water producer finds that providing recycled water to an area is not feasible or cost effective.

SEC. 2. Section 18940.6 is added to the Health and Safety Code, to read:

18940.6. (a) For purposes of this section, “recycled water” has the same meaning as that term is defined in subdivision (n) of Section 13050 of the Water Code, and is consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(b) (1) The California Building Standards Commission shall conduct research to assist in the development of mandatory green building standards for the installation of recycled water infrastructure systems for newly constructed commercial and public buildings, in consultation with the State Water Resources Control Board and other interested parties, including, but not limited to, public water systems, recycled water producers, product manufacturers, local building officials, apartment and other rental property owners, certified California licensed contractors, and the building industry.

(2) In researching, developing, and proposing mandatory building standards under this section, the commission ~~may~~ *is authorized to* expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation pursuant to Section 18931.7.

(3) Research conducted in order to propose building standards pursuant to this section shall include, but is not limited to, the following:

(A) Potential outdoor applications for recycled water, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.

(B) Potential indoor applications for recycled water, consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22

1 of the California Code of Regulations. With respect to indoor
2 applications, the commission shall consider whether to adopt or
3 recommend measures *in addition to the current standards adopted*
4 *in the California Plumbing Code in Title 24 of the California Code*
5 *of Regulations*, to ensure ~~that the safe installation of~~ indoor
6 recycled water piping ~~is safely installed, or systems~~, including, but
7 not limited to, requiring purple pipe or special markings on
8 recycled water piping *or systems* that states clearly whether it is
9 approved for indoor use, or recommending restrictions on who
10 may purchase or install recycled water piping for indoor use.

11 (C) The cost of various recycled water ~~systems and~~
12 ~~infrastructure~~ *systems*.

13 (D) The estimated quantity of water savings under varying levels
14 of application of recycled water in commercial and public buildings
15 ~~and adjacent landscaping~~ *building site landscaped areas*.

16 (4) *The department may research standards for different types*
17 *of water recycling systems, including noncentralized systems, to*
18 *the extent that they meet all of the health and safety standards*
19 *specified in this section.*

20 (c) (1) The commission shall ~~develop and~~ adopt mandatory
21 building standards for the installation of recycled water
22 ~~infrastructure systems~~ for newly constructed commercial and public
23 ~~buildings in the next regularly scheduled buildings~~ *The commission*
24 *shall consider the proposed mandatory building standards during*
25 *the 2016 Intervening Code Cycle adopted after January 1, 2017.*
26 *Adoption Cycle and may amend these mandatory standards as*
27 *necessary in future code adoption cycles, consistent with the*
28 *recycled water use criteria specified in Chapter 3 (commencing*
29 *with Section 60301.100) of Division 4 of Title 22 of the California*
30 *Code of Regulations.*

31 (2) When developing the application provisions for the
32 mandatory building standards, the commission shall limit the
33 mandate to install recycled water ~~piping systems~~ *within residential*
34 *buildings and building site landscaped areas* to only those areas
35 within a local jurisdiction that have feasible and cost-efficient
36 access to a water recycling facility, or that have been identified by
37 the local jurisdiction within a planned service area for the provision
38 of recycled water for which a specific implementation timeline
39 has been identified by the public water system in its most recent
40 urban water management plan.

1 (3) The mandate to install recycled water piping shall not apply
2 to service areas in which the only recycled water use is for potable
3 purposes, or in which net nonpotable deliveries are anticipated to
4 remain level or decrease as a result of the potable reuse project.

5 ~~(4) The commission shall consider whether a service area plans~~
6 ~~to provide potable water prior to mandating the use of recycled~~
7 ~~water piping.~~

8 ~~(5)~~

9 (4) The commission shall develop the application provisions
10 for the mandatory building standards required under paragraph (1)
11 in consultation with the State Water Resources Control Board,
12 public water systems, recycled water producers, and water research
13 associations.

14 ~~(6)~~

15 (5) A city, county, or city and county, in consultation with the
16 public water system and recycled water producer, may further
17 reduce the area for which the mandate to install recycled water
18 piping applies, if the local public water system or recycled water
19 producer finds that providing recycled water to an area is not
20 feasible or cost effective.